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STATES PATENT AND TRADEMARK OFFICE UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov ATTORNEY DOCKET NO. CONFIRMATION NO. APPLICATION NO. FIRST NAMED INVENTOR 08/27/2001 M-12038 US 5308 09/940,174 Lane W. Lee 08/21/2008 **EXAMINER** MACPHERSON KWOK CHEN & HEID LLP 1762 TECHNOLOGY DRIVE AUGUSTIN, EVENS J **SUITE 226** ART UNIT PAPER NUMBER SAN JOSE, CA 95110 3621 MAIL DATE DELIVERY MODE 08/21/2008 PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3621

## **DETAILED ACTION**

1. The reply brief filed on 24 July 2008, has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

## Conclusion

- 2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evens Augustin whose telephone number is 571-272-6860. The examiner can normally be reached on Monday thru Friday 8 to 5 pm.
- 3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

  Andrew Fischer can be reached on 571-272-6779.

/Evens J. Augustin/ Evens J. Augustin August 20, 2008 Art Unit 3621

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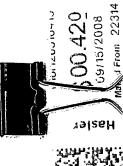
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